

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see tops of pages 9 and 10 of Applicant's remarks, filed 01/13/10, with respect to claims 17 and 29 have been fully considered and are persuasive. The rejection of claims 17 and 29 under 35 U.S.C. 103(a) as being unpatentable over Duff and Hirotsu has been withdrawn.

### ***Allowable Subject Matter***

**Claims 17-19, 22-23, 25, 29-31 are allowed.**

The following is an examiner's statement of reasons for allowance: The best art of record, Duff and Hirotsu, fails to teach or suggest: "*wherein the selected average switching frequency is selected to be smaller than a switching frequency necessary to obtain a desired relative frequency error without the frequency divider.*", as set forth in claims 17 and 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEVI GANNON whose telephone number is (571)272-7971. The examiner can normally be reached on Monday-Friday 9:30AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Levi Gannon/  
Examiner, Art Unit 2817  
03/25/10

/Robert Pascal/  
Supervisory Patent Examiner, Art Unit 2817